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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STEVE BONGE, DOMINGO BUSTER, DANIEL
CANALES, PAUL CASEY, KIMBERLY CLOSSICK,
BART DOWLING, LAWRENCE GARCIA, BARBARA
HECKMAN, CYNTHIA JORDAN, KEVIN LALKA,
BRENDAN MANNING, SCOTT NEWTON, and
RICHARD WEST,

Plaintiffs,

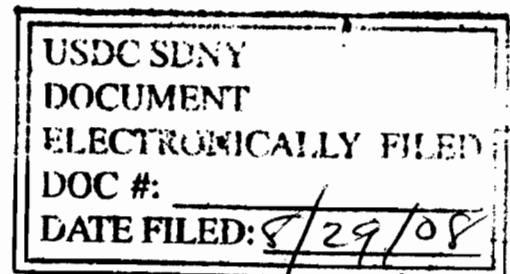
-against-

THE CITY OF NEW YORK and NEW YORK CITY
POLICE DEPARTMENT DETECTIVE JOHN
VILLANUEVA and NEW YORK CITY POLICE
DEPARTMENT OFFICIALS JOHN AND JANE DOE 1-
50,

Defendants.

STIPULATION AND
ORDER OF DISMISSAL

07 Civ. 4601 (SAS)(GWG)



WHEREAS, plaintiffs Paul Casey, Kimberly Clossick, Bart Dowling, Lawrence Garcia, Barbara Heckman, Steve Bonge, Cynthia Jordan, Kevin Lalka, Brendan Manning, Scott Newton, Richard West, Domingo Buster and Daniel Canales commenced this action by filing a complaint on or about May 31, 2007; filing an amended complaint on July 30, 2007 and a second amended complaint on August 2, 2007; alleging that defendants violated plaintiffs' federal civil and state common law rights; and

WHEREAS, defendants have denied any and all liability arising out of plaintiffs' allegations; and

WHEREAS, the parties now desire to resolve the issues raised in this litigation, without further proceedings and without admitting any fault or liability; and

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NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by
and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed against defendants, with prejudice, and without costs, expenses, or fees in excess of the amount specified in paragraph "2" below.

2. The City of New York hereby agrees to pay the Law Office of Ronald L. Kuby, attorneys for plaintiffs, the sum of Twelve Thousand Seven Hundred Seventy Dollars and Eighty Four Cents (\$12,770.84) for certain out-of-pocket expenses incurred by plaintiffs' counsel during this litigation. In consideration for the payment of this sum, plaintiffs agree to dismissal of all the claims against defendants, with prejudice, and to release all defendants, including the individuals named herein as "NEW YORK CITY POLICE DEPARTMENT OFFICIALS JOHN AND JANE DOE 1-50," and any present or former employees and agents of the City of New York, or any agency thereof, from any and all liability, claims, or rights of action that were or could have been alleged in the complaint in this action, including claims for costs, expenses and attorney fees.

3. Other than as set forth in paragraph "2" above, plaintiffs and their counsel, or any party in privity with any of them, shall have no recovery for any damages, injury, equitable or other relief, attorney's fees or costs in connection herewith.

4. Nothing contained herein shall be deemed to be an admission by the defendants that defendants have in any manner or way violated plaintiffs' rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This

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stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York, or any agency thereof.

6. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
August 29, 2008

The Law Office of Ronald L. Kuby
Attorneys for plaintiffs
119 West 23rd Street
Suite 900
New York, New York 10011

By:


DAVID PRESSMAN, ESQ.

MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
Attorney for Defendants
100 Church Street
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(212) 788-0991

By:


MICHAEL CHESTNOV
Assistant Corporation Counsel

SO ORDERED:


U.S.D.J. 8/29/08